

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THE NORTH FACE APPAREL CORP.,)	
)	
Plaintiff,)	Case No. 4:09-cv-02029-RWS
)	
v.)	SUPPLEMENTAL DECLARATION
)	OF CHRISTOPHER M. TURK
WILLIAMS PHARMACY, INC.,)	
JAMES A. WINKELMANN, JR., and)	
THE SOUTH BUTT LLC,)	
)	
Defendants.)	

CHRISTOPHER M. TURK, under penalty of perjury, declares and says:

1. I am the Assistant Secretary and Assistant General Counsel of plaintiff The North Face Apparel Corp. ("Plaintiff" or "The North Face"), owner of the THE NORTH FACE trademarks. My duties include, among other things, protection of Plaintiff's intellectual property and coordination of enforcement efforts on its behalf. I submit this declaration in support of Plaintiff's Reply Memorandum In Support of Plaintiff's Motion for an Order of Contempt.

2. The information contained in this declaration is based upon my personal knowledge.

3. On July 25, 2012, I spoke over the telephone with Morris E. Turek, who was listed as the attorney of record on the application Serial No. 85/390,367, dated August 5, 2011, for the following mark filed by Why Climb Mountains, LLC ("WCM"):



("THE BUTT FACE Mark").

4. During that conversation, I asked Mr. Turek what it would take to get WCM and Mr. Winkelmann, Sr. to stop using THE BUTT FACE Mark and abandon the trademark application for THE BUTT FACE Mark. He replied that we both knew his client was slightly crazy and so he didn't know what it would take. Mr. Turek went on to say that Mr. Winkelmann, Sr. "really cleaned up last time" and that he hoped to do the same this time. He also stated that Mr. Winkelmann, Sr. was just waiting for the "media storm" again.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of October, 2012 at Wilmington, Delaware.



Christopher M. Turk